

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE: Karen McDaniel Todd
, Debtor**

**Case No. 20-50110-KMS
CHAPTER 13**

MOTION TO APPROVE THE SALE OF CERTAIN REAL PROPERTY

COME NOW, Debtors, by and through counsel, and move this Court to approve the sale of certain real property and direct the disbursement of the proceeds, and in support thereof, would show the Court as follows:

1. Debtors commenced this case on January 22, 2020 by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Bankruptcy Code.
2. That Debtors have put up for sale for Certain Real Property located at 319 West Sibley Circle, Pachuta, MS 39347. This includes the house and land that is mortgaged by Wells Fargo Bank, N.A., and more particularly described as:

Commence at the NW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5 Township 2 North, Range 14 East and run South 5 degrees 53 minutes West 187.80 Feet, thence East 880.46 feet to the point of beginning of the property herein described. Thence run East 466.91 feet to the East line of the said NE $\frac{1}{4}$ of NW $\frac{1}{4}$, thence run South 0 degrees 20 minutes East along said line a distance of 41.05 feet, thence run South 53 degrees 40 minutes West 579.89 feet, thence run North 384.57 feet to the point of beginning, containing 2.28 acres, more or less in the NW $\frac{1}{4}$ of Section 5, Township 2 North, Range 14 East, Clarke County, Mississippi,

Less and Except: Commence at the NW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5 Township 2 North, Range 14 East, Clarke County, Mississippi and run South 5 degrees 53 minutes West 187.80 feet, thence East 880.46 feet to the point of beginning. Thence run South 384.57 feet to the Northerly right of way line of Alice Street; thence run North 53 degrees 40 minutes East along right of way line for 103.44 feet; thence run North 6 degrees 55 minutes 14 seconds West for 325.66 feet; thence run West For 44.09 feet to the point of beginning containing 0.53 acre, more or less, in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Township 2 North, Range 14 East, Clarke County, Mississippi.

3. That debtor has secured a contract for the purchase of the home for \$80,000. That the sale price is sufficient to pay the lien of Wells Fargo.
4. That should any funds remain after the loan and all closing costs be paid, that debtor shall retain those funds up to \$75,000.00 under Miss. Code Ann. §85-3-21. Any funds in excess of the \$75,000 homestead exemption shall be turned over to the Trustee to apply to debtors' bankruptcy.

WHEREFORE, Debtors pray that this motion be approved and for such additional or alternative relief as may be just and proper.

Respectfully submitted

/s/ Thomas C. Rollins, Jr.
Thomas C. Rollins, Jr. (MS Bar No. 103469)

Of Counsel:
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CERTIFICATE OF SERVICE

I, Thomas C. Rollins, Jr., do hereby certify that a true and correct copy of the above Motion was forwarded on this 6th day of February 2023 to the creditor, case trustee and U.S. Trustee as indicated in the “21 day notice” that accompanies this Motion.

/s/ Thomas C. Rollins, Jr.
Thomas C. Rollins, Jr.